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PTO/SB/01 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration Submitted with Initial Filing Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 000166.0109-US00

First Named Inventor David Edwards

COMPLETE IF KNOWN

Application Number 09/835,302-4867

Filing Date April 16, 2001

Group Art Unit N/A

Examiner Name Not Yet Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INHALATION DEVICE AND METHOD

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application No. and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

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PTO/SB/01 (03-01)
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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number or Bar Code Label **26853** Correspondence address below

Name

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any])

David

Family Name
or Surname

Edwards

Inventor's
Signature

Date **7-6-01**

Boston
Residence: City

MA
State

Country

US

Citizenship

Mailing
Address:

171 Commonwealth Avenue, Unit 3

Boston
City

MA
State

02116

Country

NAME OF SECOND INVENTOR:

A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any])

Mark

Family Name
or Surname

Delong

Inventor's
Signature

Date **6 July 01**

Newton
Residence: City

MA
State

Country

US

Citizenship

Mailing
Address:

266 Grove Street, Apartment 9

Newton
City

MA
State

02466

Country

Additional inventors are being named on the

1

supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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PTO/SB/02A (11-00)

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DECLARATION			ADDITIONAL INVENTOR(S) Supplemental Sheet Page 1 of 1		
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Craig</i>			Family Name or Surname <i>Dunbar</i>		
Inventor's Signature <i>Craig Dunbar</i>			Date <i>17 Jul 01</i>		
Residence: City <i>Boston</i> State <i>MA</i> Country			Citizenship <i>United Kingdom</i>		
Mailing Address: <i>20 Woodland Road</i>					
City <i>Boston</i> State <i>MA</i> ZIP <i>02130</i>			Country		
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Ernest E.</i>			Family Name or Surname <i>Penachio</i>		
Inventor's Signature <i>Ernest Penachio</i>			Date <i>07/06/01</i>		
Residence: City <i>Melrose</i> State <i>MA</i> Country			Citizenship <i>US</i>		
Mailing Address: <i>22 West Wyoming Avenue, Apartment 24</i>			<i>4P 67/06/01 250 Corey Rd., Apt 23 Brighton, MA</i>		
City <i>Melrose</i> State <i>MA</i> ZIP <i>02176</i>			Country		
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Kevin</i>			Family Name or Surname <i>Stapleton</i>		
Inventor's Signature <i>Kevin</i>			Date <i>17 July -01</i>		
Residence: City <i>Boston</i> State <i>MA</i> Country			Citizenship <i>Canada</i>		
Mailing Address: <i>266 Shawmut Avenue, Apartment 3</i>					
City <i>Boston</i> State <i>MA</i> ZIP <i>02118</i>			Country		
Name of Additional Joint Inventor, if any:			<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) <i>Mark</i>			Family Name or Surname <i>Wolff</i>		
Inventor's Signature <i>Mark Wolff</i>			Date <i>06 Jul 01</i>		
Residence: City <i>Allston Boston</i> State <i>MA</i> Country			Citizenship <i>US</i>		
Mailing Address: <i>53 Gardner Street, Apartment 1 29 Park Cr. Apartment 19</i>					
City <i>Allston MA</i> State <i>MA</i> ZIP <i>02134</i>			Country		

Docket No.: 000166.0109-US00
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David Edwards, et al.

Application No.: 09/835,302-4867

Group Art Unit: N/A

Filed: April 16, 2001

Examiner: Not Yet Assigned

For: INHALATION DEVICE AND METHOD

POWER OF ATTORNEY FROM ASSIGNEE

Commissioner for Patents
Washington, DC 20231

Dear Sir:

Advanced Inhalation Research, Inc., assignee of the entire right title and interest in the above-identified application by assignment submitted herewith, hereby appoints the members of the firm of Covington & Burling, a firm composed of:

Paul J. Berman	36,744	Ann O. McGeehan	45,839	Christopher N. Sipes	39,837
Kurt Geoffrey Calia	38,702	Jeannie M. Perron	31,180	Lee J. Tiedrich	42,184
Richard P. Dulik	40,598	C. Edward Polk	45,830	Henry P. Ting	46,278
Thomas W. Krause	40,335	Andrea G. Reister	36,253	Grady L. White	40,874
Scott Markow	46,899	David P. Ruschke	40,151	Anthony S. Yoo	45,540

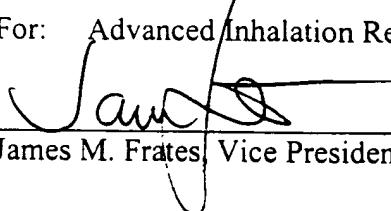
as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

The assignee certifies that it has reviewed the assignment and to the best of the assignee's knowledge and belief, title is in the assignee.

Please direct all correspondence regarding this application to the following:

COVINGTON & BURLING
Attn: Andrea G. Reister
1201 Pennsylvania Avenue, N.W.
Washington, DC 20004-2401
Telephone: (202) 662-6000
Fax: (202) 662-6291

For: Advanced Inhalation Research, Inc.


James M. Frates, Vice President

Dated: 17 July 2001

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: David Edwards, et al.

Application No./Patent No.: 09/835,302 Filed/Issue Date: April 16, 2001

Entitled: INHALATION DEVICE AND METHOD

Advanced Inhalation Research, Inc., a Corporation
(Name of Assignee) Type of Assignee, e.g., corporation, partnership, university, government
agency, etc.

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

A. [x] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____ or for which a copy thereof is attached.

OR

B. [] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

[x] Copies of assignments or other documents in the chain of title are attached.

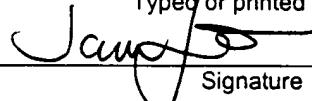
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

17 July 2001
Date

James M. Frates

Typed or printed name



Signature

Vice President

Title

ASSIGNMENT BY INVENTORS

THIS ASSIGNMENT, made this 17th day of July, 2001 by David Edwards; Mark Delong; Craig Dunbar; Ernest E. Penachio; Kevin Stapleton; and Mark Wolff (hereinafter referred to as Assignors), residing at 171 Commonwealth Avenue, Unit 3, Boston, Massachusetts 02116; 266 Grove Street, Apartment 9, Newton, Massachusetts 02466; 20 Woodland Road, Boston, Massachusetts 02130; 22 West Wyoming Avenue, Apartment 24, Melrose, Massachusetts 02176; 266 Shawmut Avenue, Apartment 3, Boston, Massachusetts 02118; and 53 Gardner Street, Apartment 1, Allston, Massachusetts 02134, respectively;

WHEREAS, Assignors have invented certain new and useful improvements in INHALATION DEVICE AND METHOD, set forth in a application for Letters Patent of the United States, already filed on April 16, 2001 as U.S. application No. 09/835,302-4867; and

WHEREAS, Advanced Inhalation Research, Inc., a corporation organized under and pursuant to the laws of Pennsylvania having its principal place of business at 840 Memorial Drive; Cambridge, Massachusetts 02139 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, Assignors have sold, assigned, transferred and set over, and by these presents do sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, including all claims, if any, that may have arisen for infringement prior to the date of this assignment, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefor and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or

terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignors, had this sale and assignment not been made.

AND for the same consideration, Assignors hereby represent and warrant to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignors are the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, Assignors hereby covenant and agree to and with Assignee, its successors, legal representatives and assigns, that Assignors will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, without charge to Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

AND Assignors hereby request the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

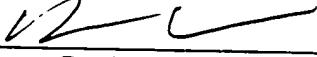
AND Assignors hereby grant the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply

with the rules of the United States Patent and Trademark Office for recordation of this document:

COVINGTON & BURLING

Paul J. Berman	36,744	Ann O. McGeehan	45,839	Christoper N. Sipes	39,837
Kurt Geoffrey Calia	38,702	Jeannie M. Perron	31,180	Lee J. Tiedrich	42,184
Richard P. Dulik	40,598	C. Edward Polk	45,830	Henry P. Ting	46,278
Thomas W. Krause	40,335	Andrea G. Reister	36,253	Grady L. White	40,874
Scott Markow	46,899	David P. Ruschke	40,151	Anthony S. Yoo	45,540

AND Assignors acknowledge an obligation of assignment of this invention to Assignee at the time the invention was made.



David Edwards

Date: 7 - 6 - 01

United States of America)
State of Massachusetts) ss.:
County of Middlesex)

On this 6th day of July, 2001, before me
personally came David Edwards, to me known to be the individual
described in and who executed the foregoing Assignment of U.S. Application No. 09/835,302-
4867, and acknowledged execution of the same.

Claire M. Varios
Notary Public

CLAIRES M. VARIOUS
NOTARY PUBLIC
MY COMMISSION EXPIRES
SEPTEMBER 10, 2004

Mark Delong

Mark Delong
Delong

Date: 6 July 01

United States of America)
State of Massachusetts) ss.:
County of Middlesex)

On this 6th day of July, 2001, before me
personally came Mark Delong, to me known to be the individual
described in and who executed the foregoing Assignment of U.S. Application No. 09/835,302-
4867, and acknowledged execution of the same.

Claire M. Vasio
Notary Public

CLAIRE M. VASIOS
NOTARY PUBLIC
MY COMMISSION EXPIRES
SEPTEMBER 10, 2004

Craig Dunbar

Craig Dunbar

Date: 17 Jul 01

United States of America)
State of Massachusetts) ss.:
County of Middlesex)

On this 17th day of July, 2001, before me personally came Craig Dunbar, to me known to be the individual described in and who executed the foregoing Assignment of U.S. Application No. 09/835,302-4867, and acknowledged execution of the same.

Claire M. Varios
Notary Public

CLAIRe M. VARIOs
NOTARY PUBLIC
MY COMMISSION EXPIRES
SEPTEMBER 10, 2004

Ernest Penachio
Ernest E. Penachio

Date: 07/06/01

United States of America)
State of Massachusetts) ss.:
County of Middlesex)

On this 6th day of July, 2001, before me
personally came Ernest E. Penachio, to me known to be the individual
described in and who executed the foregoing Assignment of U.S. Application No. 09/835,302-
4867, and acknowledged execution of the same.

Claire M. Vasio
Notary Public

CLAIRe M. VASIO
NOTARY PUBLIC
MY COMMISSION EXPIRES
SEPTEMBER 10, 2004

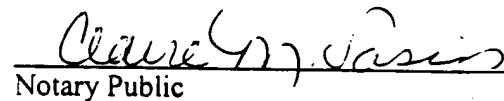


Kevin Stapleton

Date: 17-July-01

United States of America)
State of Massachusetts) ss.:
County of Gloucester)

On this 17th day of July, 2001, before me personally came Kevin Stapleton, to me known to be the individual described in and who executed the foregoing Assignment of U.S. Application No. 09/835,302-4867, and acknowledged execution of the same.



Claire M. Varios
Notary Public

CLAIRES M. VARIOUS
NOTARY PUBLIC
MY COMMISSION EXPIRES
SEPTEMBER 10, 2004


Mark Wolff

Date: 06 July 01

United States of America)
State of Massachusetts) ss.:
County of Middlesex)

On this 10th day of July, 2001, before me
personally came Mark Wolff, to me known to be the individual
described in and who executed the foregoing Assignment of U.S. Application No. 09/835,302-
4867, and acknowledged execution of the same.


Notary Public

CLAIRE M. VASIOS
NOTARY PUBLIC
MY COMMISSION EXPIRES
SEPTEMBER 10, 2004